

## **EXHIBIT 3**



**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

TQ DELTA, LLC,

*Plaintiff,*

v.

COMMSCOPE HOLDING COMPANY,  
INC., COMMSCOPE, INC., ARRIS US  
HOLDINGS, INC., ARRIS SOLUTIONS,  
INC., ARRIS TECHNOLOGY, INC., and  
ARRIS ENTERPRISES, LLC,

*Defendants.*

Civil Action No.: 2:21-cv-310

**DECLARATION OF JAMES SHEAD IN SUPPORT OF COMMSCOPE'S  
MOTION TO CHANGE LEAD COUNSEL DESIGNATION**

I, James Shead, declare:

1. I am employed by CommScope as Senior Counsel—Litigation. I am over the age of 18 years, have personal knowledge of the matters in this declaration, and if called as a witness, I would and could competently testify to them.

2. In October 2021, CommScope's designated Mr. Douglas Kline of Goodwin Proctor LLP as lead counsel pursuant to the Court's Local Rule CV-11(a)(1). At that time, CommScope's intention was that Mr. Kline would be the lead counsel throughout this case.

3. In December 2022, CommScope asked Alston & Bird LLP to represent CommScope in this case in addition to Goodwin Proctor LLP. After consideration, CommScope made the determination that it would like the team at Alston & Bird LLP, led by Ross R. Barton, to represent CommScope on this matter going forward and at trial. Although some Goodwin Proctor LLP lawyers may continue to represent CommScope in this case, Mr. Kline will no longer

be involved in this case.

4. Therefore, on behalf of CommScope, I affirm to this Court that CommScope intends for Mr. Barton to serve as lead counsel, and that CommScope's decision to substitute lead counsel in this case was not made for any improper purpose.

I declare under penalty of perjury that the foregoing is true and correct. Executed on February 27, 2023, in Austin, Texas.

/s/ James Shead  
James Shead